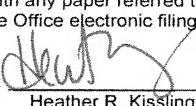


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: June 19, 2009

Signature:



Heather R. Kissling

Docket No.: 30986/40924
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Martin A. Crockard et al.

Application No.: 10/570,588

Confirmation No.: 7390

Filed: September 2, 2004 as International (PCT)
Application No. PCT/GB04/03773

Art Unit: 1645

For: Diagnosis of Risk of Breast Cancer

Examiner: Not Yet Assigned

RENEWED PETITION UNDER 37 C.F.R. § 1.181

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Office of PCT Legal Administration

Dear Madam:

Applicants respectfully request reconsideration of the Decision to dismiss (April 21, 2009) without prejudice Applicants' Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action (Notification of Defective Response) Pursuant to M.P.E.P. § 711.03(c)(I) and 37 C.F.R. § 1.181, filed on March 24, 2009. Petitioner hereby renews the petition under the provisions of 37 C.F.R. § 1.137(e) to revive the application. For the reasons set forth below, the petition should be granted and the application should be returned to *ex parte* prosecution.

I. Statement of Facts

1. The U.S. Patent and Trademark Office ("the Office") mailed a Notification of Missing Requirements (Exhibit A) in the above-identified application to the Applicants on

November 22, 2006 (received by Applicants on December 7, 2006). The Notification of Missing Requirements indicated that the following items should be supplied to the Office within an extendable two-month period for response:

- a. An oath or declaration signed by all inventors;
 - b. A surcharge under 37 C.F.R. §1.492(h) for \$130;
 - c. A statement that the contents of the sequence listing recorded in computer-readable form is identical to the written sequence; and
 - d. A copy of the sequence listing in computer-readable form.
2. Applicants timely responded to Notification of Missing Requirements on January 19, 2007, by U.S. First Class Mail. The response included:
- a. A response to the Notification of Missing Requirements (with fees);
 - b. An oath or declaration signed by all inventors;
 - c. A paper copy of a sequence listing;
 - d. A copy of the sequence listing in computer-readable form;
 - e. A statement that the contents of the sequence listing recorded in computer-readable form is identical to the written sequence; and
 - f. A copy of the Notification of Missing Requirements.

The response to the Notification of Missing Requirements was stamped as received by the Office on January 22, 2007. Copies of these documents are enclosed herewith as Exhibit B.

3. The Office allegedly issued a Notification of Defective Response in the above-identified application on August 24, 2007. The Notice alleged that the computer-readable form of the sequence listing supplied by Applicants failed to comply with 37 C.F.R. §§ 1.822 and/or 1.823 in that no file was contained on the computer-readable media supplied by Applicants (Exhibit C). A non-extendable, one-month period for replying to the Notification of Defective Response was allegedly set by the Office to expire on September 24, 2007.

4. The Notification of Defective Response was not received by the undersigned or the undersigned's firm, Marshall, Gerstein & Borun LLP. A search of the firm's file

corresponding to this application and firm's docketing records indicates that the Notification of Defective Response was not received.

5. It is the standard practice of Marshall, Gerstein & Borun LLP to record all Notifications of Defective Responses and other Office Actions on the file jacket of the file corresponding to an application when such Notices or Actions are received. A copy of the file jacket for this application is attached hereto as Exhibit D. If the Notification of Defective Response had been received, an indication of the Notification of Defective Response, its mailing date, and the one-month due date would have been recorded on the file jacket in the left-hand column, as was done for the original Notification of Missing Requirements. The absence of any notations concerning the Notification of Defective Response demonstrates that the Notice was never received.

6. It is another standard practice of Marshall, Gerstein & Borun LLP to record all Notifications of Defective Response and other Office Actions from the Office in an electronic docketing system as soon as they are received. A copy of the electronic docket report for this application is attached hereto as Exhibit E. The electronic docket report has no entry with respect to the Notification of Defective Response, which indicates that it was not received by Marshall, Gerstein & Borun LLP. If the Notification of Defective Response had been received, a one-month response due date of September 24, 2007, would have been recorded in the "Docket Dt." and "Due Date" columns on the second page of the docket report with a code of "RESP" in the "Action" column.

7. It is another standard practice of Marshall, Gerstein & Borun LLP to record all Notifications of Defective Response and other Office Actions received from the Office on a handwritten log on a daily basis. A copy of a portion of the handwritten log used by the docketing department of Marshall, Gerstein & Borun LLP is attached hereto as Exhibit F. All Notifications of Defective Response and other Office Actions received each day by Marshall, Gerstein & Borun LLP are entered into the log by the attorney docket numbers, the Patent Application Numbers, codes indicating the types of actions, and the due dates for replying to the actions. Exhibit F includes a copy of the handwritten log of Marshall, Gerstein & Borun LLP from August 22, 2007, to October 24, 2007. If the Notification of Defective Response had been received by Marshall, Gerstein & Borun LLP between these dates, it would have been recorded on one of the pages in Exhibit F with a code "*COM" or

“RESP” and the one-month date of September 24, 2007, under attorney docket number 30986/40924. There is no entry for the Notification of Defective Response.

8. To the best of my knowledge, Marshall, Gerstein & Borun LLP first became aware of the Notification of Defective Response when investigating the Notice of Abandonment during the week of March 16, 2009, when the file wrapper for the case was reviewed on PAIR. The firm promptly filed the initial petition to withdraw the holding of abandonment on March 24.

9. In a decision dated April 21, 2009, the Office dismissed Applicants’ petition to withdraw the holding of abandonment without prejudice, and set an extendable two-month period to renew the petition. The Office held the petition of March 24, 2009, to be deficient because the docket record supplied in support of the petition was allegedly insufficient to comply with M.P.E.P. § 744.03(c)(I)(A). According to the Office, “[p]etitioner must provide a copy of the master docket record for the practitioner’s firm, listing all replies docketed for the due date for reply to the Notification of Defective Response,” which the Office alleged is September 24, 2007. (See Decision, pages 2-3).

10. Attached hereto as Exhibit G is a master docket record for Marshall, Gerstein & Borun LLP, listing all replies docketed for September 24, 2007. Exhibit G contains the master docket record for both pending applications (“Master Patent Application Docket”) and patents issued as of May 14, 2009 (“Master Issued Patent Docket”), which may have resulted from patent applications pending on September 24, 2007. It is a standard practice of Marshall, Gerstein & Borun LLP to record due dates for replying to all Notifications of Defective Response and other Office Actions in an electronic docketing system as soon as they are received. The master docket record has no entry with respect to the Notification of Defective Response, which indicates that it was not received by Marshall, Gerstein & Borun LLP. If the Notification of Defective Response had been received, the master docket list would contain an entry for a response to the notification. There is no entry for a response to the Notification of Defective Response, further confirming the other evidence of record that the Notification was never received.

II. Petitioner's Showing Satisfies M.P.E.P. § 711.03(c)(I) and 37 C.F.R. § 1.181 And, Therefore, The Renewed Petition Should Be Granted.

This renewed petition is submitted in response to the Notice of Abandonment dated March 10, 2009, and the dismissal of the petition dated April 21, 2009. The Notice of Abandonment indicated that the present application was abandoned for failure to respond to the Notification of Missing Requirements (mailed on November 22, 2006). Applicants, however, timely responded to the Notification of Missing Requirements on January 19, 2007, and received no further correspondence from the Office in this matter until receipt of the Notice of Abandonment on March 16, 2009.

After receipt of the Notice of Abandonment, the undersigned law firm reviewed its file to verify that a response to the Notice was filed, and further reviewed the Office's electronic file wrapper on the PAIR website. The review of PAIR revealed a "Notification of Defective Response" which was allegedly mailed on August 24, 2007 (mail date specified on Notification). Applicants, however, did not receive the Notification of Defective Response, and this Notification is not mentioned in the Notice of Abandonment. In view of Applicants' *bona fide* response to the Notification of Missing Requirements and failure to receive any Notification of Defective Response, Applicants request that the holding of abandonment be withdrawn.

Applicants submit that the guidelines for granting a "Petition to Withdraw Holding of Abandonment" outlined in chapter 711.03(c)(I)(A) of the Manual of Patent Examining Procedure have been satisfied. In this regard, Applicants have

- (a) described "the system used for recording an Office action received at the correspondence address of record" (Statement of Facts (SF) 5-7 and 10);
- (b) established that the docketing system is sufficiently reliable (SF 5-7 and 10);
- (c) established that the Notification of Missing Requirements was not received at the correspondence address of record (SF 4 and 8);
- (d) provided copies of "record(s) used by the practitioner where the non-received Office action would have been entered had it been received," which indicate that the notice was not received (SF 5-7 and 10); and

(e) provided a copy of the master docket record showing all replies docketed for the due date set by the Office for responding to the Notification of Defective Response, which lacks an entry for a response to the notification (SF 10).

In addition, Applicants submit herewith a copy of the response to the Notification of Defective Response filed March 24, 2009, which included a copy of the sequence listing in computer-readable form (a .txt file), a copy of the sequence listing in paper form, and a statement that the content of the sequence listing supplied in computer-readable form is identical to the paper sequence (Exhibit H). An Amendment seeking entry of the substitute sequence listing is submitted herewith. The formal requirements set forth in M.P.E.P. § 711.03(c)(I)(A) have been satisfied, and the petition should be granted.

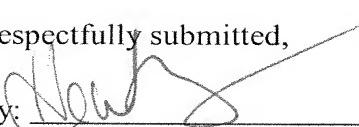
III. Conclusion

In view of the foregoing, Applicants respectfully request withdrawal of the holding of abandonment and return of the application to *ex parte* prosecution. If, in the opinion of the examiner, a telephone conference would expedite return of the application to active status, the examiner is invited to contact the attorney listed below.

While Applicants believe that no fees are required for this submission, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith, including the issue fee, to our Deposit Account No. 13-2855, under Order No. 30986/40924.

Dated: June 19, 2009

Respectfully submitted,

By: 
Heather R. Kissling

Registration No.: 45,790
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Agents for Applicant

Exhibit A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PO. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/570,588	Martin A. Crockard	30986/40924
INTERNATIONAL APPLICATION NO.		
PCT/GB04/03773		
LA FILING DATE	PRIORITY DATE	
09/02/2004	09/03/2003	
CONFIRMATION NO. 7390		
371 FORMALITIES LETTER		
OC000000021327992		

Date Mailed: 11/22/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/03/2006
- Copy of the International Search Report filed on 03/03/2006
- Copy of IPE Report filed on 03/03/2006
- Preliminary Amendments filed on 03/03/2006
- Biochemical Sequence Listing filed on 03/03/2006
- U.S. Basic National Fees filed on 03/03/2006
- Priority Documents filed on 03/03/2006
- Specification filed on 03/03/2006
- Claims filed on 03/03/2006
- Abstracts filed on 03/03/2006
- Drawings filed on 03/03/2006
- Paper nucleotide sequence listings filed on 03/03/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

• **\$130 Surcharge.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

FREDERICK SMITH

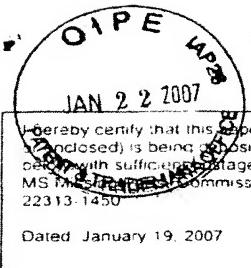
Telephone: (703) 308-9140 EXT 210

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY DOCKET NO.
10/570,588	PCT/GB04/03773	30986/40924

FORM PCT/DO/EO/905 (371 Formalities Notice)

Exhibit B



IAP13 Rec'd PCT/PTO 22 JAN 2007

PT

I hereby certify that this paper (along with any paper referred to as being attached hereto or incorporated herein by reference) is being deposited with the U.S. Postal Service on the date shown below, with sufficient postage as First Class Mail, in an envelope addressed to MS Missing Parts Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 19, 2007 Signature:


(Nabeela R. McMillian)

Docket No.: 30986/40924
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Martin A. Crockard et al.

Application No.: 10/570,588

Filed: March 3, 2006

For: Diagnosis of Risk of Breast Cancer

Confirmation No.: 7390

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed November 22, 2006, Applicant respectfully submits a Combined Declaration and Power of Attorney, a Sequence Listing Diskette, a Sequence Listing Paper Copy, and Part 2 Copy of Notice.

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper

01/24/2007 ATRAN1 00000085 10570588

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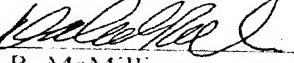
Application No.: 10/570,588

Docket No.: 30986/40924

hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30986/40924. A duplicate copy of this paper is enclosed.

Dated: January 19, 2007

Respectfully submitted,

By 
Nabeela R. McMillian
Registration No.: 43,363
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorney for Applicant

USA

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter which is claimed and for which a patent is sought on an invention entitled
DIAGNOSIS OF RISK OF BREAST CANCER

the specification of which is attached hereto or

was filed on 2 SEP 04 as United States Application Number or PCT International Application Number PCT/GB04/03773 and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for a patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?
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			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Direct all correspondence to:
Marshall, Gerstein & Borun
6300 Sears Tower
233 South Wacker Drive
Chicago
Illinois
60606-6357
United States of America

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C 1001 and that such willful false statements may jeopardise the validity of the application or any patent issued thereon.

Full name of sole or First Inventor Martin Andrew CROCKARD

Inventor's signature



Residence address Co. Antrim, BT29 4QY, Northern Ireland.

Post Office address

Randox Laboratories Ltd. Ardmore, Diamond Road, Crumlin
Co. Antrim, BT29 4QY, Northern Ireland.

Country of Citizenship United Kingdom

Date of signature 16-05-06

Full name of Second Inventor Janice Roberta BAILIE

Inventor's signature



Residence address Co. Antrim, BT29 4QY, Northern Ireland.

Post Office address

Randox Laboratories Ltd. Ardmore, Diamond Road, Crumlin
Co. Antrim, BT29 4QY, Northern Ireland.

6.5.06

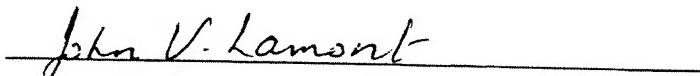
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Date of signature

Full name of

Third Inventor John Victor LAMONT

Inventor's signature



Residence address

Co. Antrim, BT29 4QY, Northern Ireland.

Post Office address

Randox Laboratories Ltd. Ardmore, Diamond Road, Crumlin
Co. Antrim, BT29 4QY, Northern Ireland.

Country of Citizenship United Kingdom

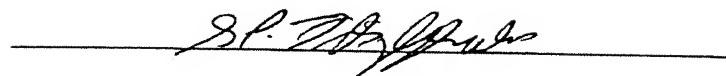
Date of signature 29th March 2006

H:\PFD\FORMS\US--.POA

Full name of
Fourth Inventor

Stephen Peter FITZGERALD

Inventor's signature



Residence address

Co. Antrim, BT29 4QY, Northern Ireland.

Post Office address

Randox Laboratories Ltd. Ardmore, Diamond Road, Crumlin
Co. Antrim, BT29 4QY, Northern Ireland.

Country of Citizenship United Kingdom

Date of signature 15.5.06

SEQUENCE LISTING

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PATENT

Attorney Docket No.: 30986/40924

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Crockard et al.)
Serial No: 10/570,588)
Filed: March 3, 2006)
Title: Diagnosis of Risk of Breast)
Cancer)
Group Art Unit: Not Yet Assigned)
Examiner: Not Yet Assigned)
I hereby certify that this paper is being
deposited with the United States Postal
Service as first class mail, postage prepaid,
in an envelope addressed to Mail Stop
Missing Parts, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-
1450 on
DATE: January 19, 2007

Nabeela R. McMillian

STATEMENT UNDER 37 C.F.R. §§1.821(f)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby state that the content of the paper and computer-readable copies of the Sequence Listing, submitted herewith in accordance with 37 C.F.R. §§1.821 and 1.825, are the same and include no new matter.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 474-6300

By:

Name: Nabeela R. McMillian
Registration No.: 43,363
Attorney for Applicants

Date: January 19, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/570,588	Martin A. Crockard	30986/40924

04743
 MARSHALL, GERSTEIN & BORUN LLP
 233 S. WACKER DRIVE, SUITE 6300
 SEARS TOWER
 CHICAGO, IL 60606

RECEIVED

COPY

DEC 07 2006

MARSHALL GERSTEIN

INTERNATIONAL APPLICATION NO
PCT/GB04/03773IA. FILING DATE PRIORITY DATE
09/02/2004 09/03/2003CONFIRMATION NO. 7390
371 Formalities Letter

OC000000021327992

Date Mailed: 11/22/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/03/2006
- Copy of the International Search Report filed on 03/03/2006
- Copy of IPE Report filed on 03/03/2006
- Preliminary Amendments filed on 03/03/2006
- Biochemical Sequence Listing filed on 03/03/2006
- U.S. Basic National Fees filed on 03/03/2006
- Priority Documents filed on 03/03/2006
- Specification filed on 03/03/2006
- Claims filed on 03/03/2006
- Abstracts filed on 03/03/2006
- Drawings filed on 03/03/2006
- Paper nucleotide sequence listings filed on 03/03/2006

Docketed: 1-22-07

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• **\$130 Surcharge.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY DOCKET NO.
10/570,588	PCT/GB04/03773	30986/40924

FORM PCT/DO/EO/905 (371 Formalities Notice)

Exhibit C



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DOCKET NO.
10/570,588	Martin A. Crockard	30986/40924
INTERNATIONAL APPLICATION NO.		
PCT/GB04/03773		
I.A. FILING DATE	PRIORITY DATE	
09/02/2004	09/03/2003	
CONFIRMATION NO. 7390		
371 FORMALITIES LETTER		
 *OC00000025550907*		

Date Mailed: 08/24/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 03/03/2006
- Copy of the International Search Report filed on 03/03/2006
- Copy of IPE Report filed on 03/03/2006
- Preliminary Amendments filed on 03/03/2006
- Biochemical Sequence Diskette filed on 01/22/2007
- Oath or Declaration filed on 01/22/2007
- Biochemical Sequence Listing filed on 01/22/2007
- U.S. Basic National Fees filed on 03/03/2006
- Priority Documents filed on 03/03/2006
- Specification filed on 03/03/2006
- Claims filed on 03/03/2006
- Abstracts filed on 03/03/2006
- Drawings filed on 03/03/2006
- Paper nucleotide sequence listings filed on 03/03/2006

Applicant's response filed 01/22/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/22/2006 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this

Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO
10/570,588	PCT/GB04/03773	30986/40924

FORM PCT/DO/EO/916 (371 Formalities Notice)

SCORE

CRF Problem Report

SCORE experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 10576568
Filing Date: 1/22/07
Date Processed by SCORE: 1/30/07

Contact: Electronic Business Center: Telephone: 866-217-9197

Nature of CRF Problem:

- (circle one) Damaged or Unreadable
 Blank (no files on CRF)
 Empty file (filename present, but no bytes in file)
 Wrong file saved to CRF (invention title, docket number, or applicant(s) do not match those in official application)
 Not saved in ASCII text
 Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.
 Did not contain a Sequence Listing.
 Other:

PLEASE USE THE CHECKER VERSION 4.4.0 PROGRAM TO REDUCE ERRORS.
SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>) , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05): U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/20/06

Exhibit D

Exhibit E

PM1001

Docket Number: 40924

Application Entry / Update
US UNITED STATES

11:03:49

3/23/09

Status:

Title DIAGNOSIS OF RISK OF BREAST CANCER

Type:

Related Docket Numbers

Inventors: CROCKARD ET AL.

Client:

Date Added: 2/27/2006

30986 GILL JENNINGS & EVERY

Attorneys: DAG MPB HRK

Owner Ref#: JWJ01047US

Convention: N

Carton Number:

Small Entity:

Date Forwarded: 3/03/06 Appl.Complete? ..

Confirm.No.:

CPA Filing: Priority Sts? .. Group: 0 Date Filed: 3/03/06

PCT Flag:

IDS Sent? Y

Priority Dt/No.:

Appl.Allowed:

Not. of Appeal Date/No.:

Issue Fee Paid:

Interference Number:

Publication Dt:

Agent:

Publ.No:

Tax Service: Taxes? Y Assignee: RANDOX LABORATORIES LTD.

Based on: PCT/GB04/03773 9/2/04

Reel/Frame: 018830/0512

GB 0320648.9 9/3/03

Recorded: 1/23/07

ENTER-Accept F1-Actions F5-No Update F9-Issue F11-Chg# F24-Delete

PM1003

Patent Actions

11:03:53

3/23/09

GILL JENNINGS & EVERY**US**Docket: **40924**

SEQ	Docket Dt.	Due Date	Action	Reply Date	Reply
003	05/03/06	05/03/06	RCPT		RECEIPT NOT YET RECEIVED
004	03/03/07	03/03/07	STAT	03/15/07	OFF PER JAW DOCKET
006			FRWD	03/03/06	INT.APP;PRE.AMDT W/APP
007	06/03/06	06/03/06	*INF	01/19/07	INFORMATION DISCLOSURE W/CN
008	06/03/06	06/03/06	ASSN	01/19/07	FWR'D ASSN FOR RECORDAL W/CN
009	01/22/07	01/22/07	*COM	01/19/07	E.DECL;STMT,SEQ.LIST/DISK W/CN
010			RECD	03/11/09	NOTIFICATION OF ABD
011	05/11/09	05/11/09	RESP		REQ.W/DRAW HOLDING OF ABD

.000

ENTER-Add/Update line F1-Return F5-New Record Roll Up/Roll Down

Exhibit F

8/21/07

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3061039383A 11/200506 POM 1 11/17/07 ✓
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06885/40122 1d853655 PUP2 11/17/07 ✓
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8/23/07

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8/24/07

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8/27/07

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AM

8/27/07

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8/28/07

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30009/241958 11/417005 Nonstd. 9/22/07 ✓
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8/29/07

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8/30/07

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01017/30016A 10/796522 POF2 11/28/07 ✓
29925/41367 11/181561 OA30 9/28/07 ✓
31174/30021B 10/911095 Isf/Asl 11/27/07 ✓
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9/6/07

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RJM

9/0/07

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9/10/07

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JANU

9/11/07
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 30481/30004 10/483938 POP2 12/5/07 ✓

✓ M/W

9/12/07

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29936441857	11/434414	POA1	12/5/07	✓
2935711006548	29/264976	030	10/4/07	✓
30931L50202	11/301376	POA1	12/4/07	✓
2993610405A	11/121051	030	10/4/07	✓
30106139457	11/339135	POP2	12/6/07	✓
28341100475A	10/348066	POA1	12/6/07	-TPNS
285061393174	11/094574	POA1	12/6/07	✓
2770839953	10/887937	POP2	12/6/07	✓
30081162050	77/187150	POA1	3/12/08	✓
	10/045748	POA1	1/27/07	✓

9/13/07

251671344413	10/792480	POA1	12/7/07	✓
29006138622	10/197180	POP2	12/7/07	✓
2892541027	11/081151	POA1	12/11/07	✓
28646142610	11/660293	XCM	11/7/07	✓
311180Y04084	11/844626	POA1	11/7/07	✓
312031300774	11/197378	POA1	12/6/07	✓

9/14/07

28866138697	10/338316	POA1	12/6/07	✓
30320419117	10/882906	POA1	12/6/07	✓
291011600001A	1d 807940	POA1	12/10/07	✓
2975710-497A	11/042947	POA1	12/7/07	-TPN
30205131573	1d 719083	POA1	12/7/07	✓
3174130000	09/463024	POA1	12/7/07	✓
28925143007	11/450096	POA1	12/7/07	✓
304662	10/409313	POP2	12/7/07	-TPN
2982713836A	10/511193	POA1	12/10/07	✓
3076617888CL	10/740625	POA1	9/11/07	✓
3076619691M	11/224805	POA1	10/16/07	✓

9/17/07

290071Ex02	29/284157	XCM	11/10/07	✓
29149835437B	11/612303	POA1	12/10/07	✓

✓ JUN

9/17/07

290011600036A	29/249765	SOSP	12/11/07	✓
28167134140A3	10/792480	PAT1	12/11/07	✓
290211600035A	29/249763	SOSP	12/11/07	✓
2749016222913	10/833429	SOSP	12/11/07	✓
29827140753	10/571292	Rept/Orn	11/11/07	✓
29827140643	10/574934	PUP2	12/11/07	✓
30766	10/439524	PAT1	12/11/07	✓
29925143008	11/450789	SOSP	12/11/07	✓
29925141995	11/450764	SOSP	12/11/07	✓
290011600037A	10/469443	PUP2	12/11/07	✓
28335141335	11/145035	UABO	10/11/07	✓
28489142433	29/208045	SOSP	12/11/07	✓
3052113104	11/275503	SOSP	12/11/07	✓
29021141881	11/365276	PAT1	12/11/07	-abv1
01017137109A	10/347051	PAT1	12/11/07	✓
30835140022	11/074500	PAT1	12/11/07	✓
31044141717	11/288929	SOSP	12/11/07	✓
31044141827	10/564901	PAT1	12/11/07	✓
30530140772C	11/643562	PAT1	12/11/07	✓
30875139376	10/777423	PAT1	12/11/07	✓
	9/1007676	2nd ch. Fins	11/8/07	new + ✓
30406	10/1027556	PUP2	12/11/07	✓
311741300024	11/209429	PAT1	12/11/07	✓
28467140835B	11/269117	PAT1	12/11/07	-abv1
300251501723	11/275567	PUP2	12/11/07	✓
30324180404	11/734531	PAT1	12/11/07	✓
290021160004A	29/249768	SOSP	12/11/07	✓
31174160015	77/192159	PAT1	3/15/08	✓
29901160001	77/195924	PAT1	3/17/08	✓
	9/18/07			
	3292186	RMus+5	9/11/17	✓
30205138576A	11/415984	PAT1	12/11/07	✓
29936140366	11/159733	SOSP	12/11/07	✓
29417140513	29/240732	Rept/Orn.	10/11/07	✓
27392124692	10/467688	PUP2	12/11/07	✓

MM

9/18/07

29460/CDT674 11/300832 PDA 12/12/07 ✓
01A71/40551 1d963986 PDA 12/11/07 ✓
29544/36981 09/73B59 PDA 12/11/07 ✓
10253967 Res Richard/APC 11/11/07 ✓
79/031696 PDA 11/11 + 3/11/08 ✓
30166/60029 77/049132 PDA 3/11/08 ✓
78/52317 PDA 3/11/08 ✓
01A71/369383 11/891031 *COM ~~1st time~~ 11/11/07 ✓
29460/CDT485 11/665462 *COM 11/11/07 ✓
19036/3601413 11/241035 NonConf. 1d11/07 ✓
29925/41331A 11/671564 ~~53rd~~ 12/11/07 ✓
30746/60000 76/523974 PDA 3/11/08 ✓
31098/60066001 77/202807 PDA 3/11/08 ✓
31295/6X00 77/117270 PDA 3/18/08 ✓

9/19/07

29488/41815 11/839433 *COM 10/23/07 ✓
30444/61753 77/186848 PDA 3/12/08 ✓
28444/41339 11/144279 Issf/Rsd 12/12/07 ✓
23004/40079 10/493085 Issf/Rsd 12/12/07 ✓
06005/641915 11/848843 *COM 11/12/07
06005/561806A 11/841423 *COM ~~09/22~~ 11/12/07 ✓
28384/36668 09/640737 POF2 12/12/07 ✓
29516/36392 09/455877 PDA1 12/12/07 ✓
28335/39524A 10/650449 OA30 10/12/07 ✓
27392/27614 10/621542 POF2 12/11/07 ✓
18004/36273A 11/080723 PDA1 12/13/07 ✓
29925/41317 11/152575 OA30 10/17/07 ✓
30660/42473 29/250019 PDA1 12/12/07 ✓
29618/36023 11/096939 PDA1 12/13/07 ✓
30205/42168 11/481299 PDA1 12/13/07 ✓
30658/40659 11/253474 POF2 12/13/07 ✓
19036/38799A 11/100285 PDA1 12/12/07 ✓
06005/38042 10/310416 Issf/Rsd 12/13/07 ✓
29488/36478 09/715872 POF2 12/13/07 ✓
27641/3452SE 11/404280 OA30 10/13/07 ✓
29610/CDT324 10/519899 POF2 12/13/07 ✓

9/19/07

29473/14564 10/480015 POA1 12/13/07 ✓
31146/MP1456 10/286800 POA1 12/17/07 ✓
29257/P-733 10/712718 POF2 12/12/07 ✓
29488/42009 11/847184 *COM 11/11/07 & Drugs ✓
29488/41814 11/839306 *COM 10/30/07 & Drugs ✓
9/20/07

30835/312959 11/301858 *COM 11/14/07 ✓
31146/141288 11/846292 *COM 11/13/07 ✓
30036/410064 11/376789 SSP 12/17/07 ✓
29621/600070 29/275471 SSP 12/13/07 ✓
29061/TF0104713 10/883232 SSP 12/13/07 ✓
28488/36749A 10/418365 SSP 12/12/07 ✓
19076/39397 1d/290637 Noncompl. 10/13/07 ✓
29621/600071 29/275472 SSP 12/13/07 ✓
30320/17593 10/734728 Noncompl. 10/12/07 ✓
29498/38972C 11/849783 *COM & 11/14/07 ✓
28489/42934 29/284372 *COM 11/14/07 ✓
29498/38971B 11/849788 *COM & 11/14/07 ✓
29497/41559 11/275462 PUP2 12/14/07 ✓
29314/39097 10/788260 Nonresp. 10/18/07 - TRN
31174/30019 10/805129 Noncompl. 10/13/07 ✓
29171/4037913 11/662352 *COM & 11/14/07 ✓
30205/42713 11/759667 *COM & 11/17/07 ✓
29314/63909713 11/077564 CABO 10/13/07 - TRN
30882/10220 10/524042 PUP2 12/12/07 ✓
29611/107320 10/579371 RUM 12/12/07 ✓
29757/12484 10/933631 PCA1 12/12/07 ✓
3118/0Y080DA 10/910367 RUM 12/14/07 ✓
21178/40476 10/738248 PUP1 12/14/07 ✓
01017/35550C 10/889948 PUP1 12/14/07 ✓
28303/36880E 11/772660 PUP2 12/14/07 ✓
29951/39589 10/672548 SSP 12/14/07 ✓
19036/41347 10/542998 RUM 12/14/07 ✓
29936/42082 11/490304 SSP 12/14/07 ✓
29468/37487 1d/174314 PUP2 12/14/07 ✓

MJM

9/20/07

30631/41823 11/572571 PUA1 12/14/07 ✓
29936/40882 10/878173 PUP2 12/14/07 ✓
27087/40785 11/197020 PUP2 12/14/07 ✓
29926/370494 10/821834 PUP2 12/17/07 ✓
9/21/07

29924/42033 11/442197 PUP2 12/18/07 ✓
29915 10/652927 PUP2 12/14/07 ✓
30980/42246 10/588037 PUP1 12/17/07 ✓
31835/30443 10/375840 PUP1 12/17/07 ✓
29930/4131CA 11/801006 PUA1 12/17/07 ✓
28016/5V1342 77/077822 PUPA 3/21/08 ✓
9/24/07

29608/38938 10/626081 ~~PUPA~~ 12/17/07 ✓
19030/41346 29/233044 ~~PUPP~~ 12/17/07 ✓
20001/40530 10/571240 PUP1 12/14/07 ✓
30985/41486A 11/226162 C30 10/14/07 ✓
27087/39420 10/890780 C30 10/14/07 ✓
0107/36263A 10/933133 PUP1 12/14/07 ✓
31048/63051 77/210617 PUPA 3/23/08 ✓
29986/31203 11/127362 PUP2 12/13/07 ✓
9/25/07

3292713 PUP1815 9/18/07 ✓
3292712 " 9/18/07 ✓
3292917 " 9/18/07 ✓
3293690 " 9/18/07 ✓
3292916 " 9/18/07 ✓
23004/3460538 10/301138 ~~PUPA~~ 11/18/07 reset ✓
00004560755A 11/852786 ~~PUPA~~ 11/19/07 ✓
00005191865 11/850810 ~~PUPA~~ 11/18/07 ✓
30874/2040B 11/665589 ~~PUPA~~ 11/17/07 ✓
30711/41753 11/791463 ~~PUPA~~ 11/18/07 ✓
11/665589 ~~PUPA~~ 11/18/07 ✓
2057241309 10/592331 ~~PUPA~~ 11/18/07 reset ✓
30882/0041 11/658682 ~~PUPA~~ 11/17/07 ✓
28144/3241 29/284129 ~~PUPA~~ 11/18/07 ✓

MM

9/25/07

270576/43074 11/894119 ~~RCM~~ 11/18/07 TAN
301656/42039A 11/892044 ~~RCM~~ 11/18/07 ✓
300471/62065 77105622 ~~RUE~~ 3/18/08 ✓
31183160017 771049000 ~~RUE~~ 3/18/08 ✓
31183160016 771048996 ~~RUE~~ 3/18/08 ✓
270871/4902 11/6032912 PAPL 12/18/07 ✓
273921/30578 11/662897 ~~RCM~~ 11/19/07 ✓
277541/6778 11/631064 ~~RCM~~ 11/19/07 ✓
284931/42138A 11/828259 ~~RCM~~ 11/19/07 ✓
299251/43195 11/897600 ~~RCM~~ 11/19/07 ✓
301815/30080 11/126647 0A30 12/13/07 ✓
273921/6387 1d505463 PAAI 12/17/07 ✓
297941/382194 1d441583 PAAI 12/18/07 TAN
308751/856A 11/86544 0A30 12/18/07 ✓
294731/4565 1d477674 PAAI 12/18/07 ✓
291951/36779A 11/063280 PAAI 12/18/07 ✓
29976 771240931 PAA 3/24/08 + 11/25/07 ✓
291040931 ~~PAA~~
310941/60005 77126921 PAAI 3/25/08 ✓
9/26/07

3294705 PAAI 845 9/18/07 ✓
3294784 " 9/18/07 ✓
3294916 " 9/18/07 ✓
290618/12068 11/854263 RCM 11/21/07 ✓
000051571838 11/854261 RCM 11/21/07 ✓
300711/42576 11/663097 ~~RCM~~ 11/21/07 ✓
300741/475 11/398293 PAAI 12/19/07 ✓
290071/41558 291284525 ~~RCM~~ 11/20/07 ✓
294751/40104A 11/791346 ~~RCM~~ 11/20/07 ✓
307431/41160A 11/828994 ~~RCM~~ ~~11/20/07~~ 11/20/07 ✓
300571/42580 11/805201 ~~RCM~~ 11/20/07 ✓
00004760755 11/852797 ~~RCM~~ ~~11/20/07~~ 11/20/07 ✓
2906171/41559 291284536 ~~RCM~~ 11/20/07 ✓
2952039149 1d389348 Martlast. 11/19/07 ✓
299361/41209 11/125916 ~~RCM~~ 11/19/07 ✓

MM

9/26/07

29498138717	10/6/11/87	PUP	12/19/07	✓
3088200136	1d 569925	PUP	12/19/07	✓
2740839775	1d 481692	PUP	12/19/07 - TRN	
1903641912	1d 958125	PUP	12/18/07	✓
308810808	1d 820586	PUP	12/20/07	✓
2967110064	1d 890781	PUP	12/20/07	✓
2943910401A	11/121568	PUP	12/20/07	✓
30875140855	1d 403290	PUP	12/21/07	✓
29400107449	1d 948929	PUP	12/20/07	✓
29400107315	1d 509311	PUP	12/20/07	✓
306351313585	11/192291	PUP	12/20/07	✓
29936141756	11/160269	PUP	12/18/07	✓
27461141575	11/259170	PUP	12/19/07	✓
19036139104	10/442003	PUP	12/18/07	✓
3085341342	11/146381	ORO	12/20/07	✓
29405141504	11/288481	PUP	12/20/07	✓
2993138528C	1d 444474	PUP	12/20/07	✓
27157114683A	1d 395963	PUP	12/19/07	✓
2946715802A	1d 803349	PUP	12/20/07	✓
2739725379	1d 488348	PUP	12/20/07	✓
30803138039	1d 368816	PUP	12/19/07	✓
294036139612	10/470104	PUP	12/19/07	✓
29400107241	1d 475027	PUP	12/20/07	✓
30536138762	1d 243060	PUP	12/19/07	✓
31260140012	1d 377315	PUP	12/21/07	✓

9/27/07

19036140256	11/101102	GA30	12/19/07	✓
29925141318	11/168102	PUP	12/19/07	✓
30694141147	1d 475175	KAA	12/21/07	✓
299361407164	11/702299	PUP	12/21/07	✓
29936140220	1d 879785	PUP	12/21/07	✓
28944141109	11/089827	PUP	12/21/07	✓
30607140130	1d 499471	PUP	12/21/07	✓
29827140800	1d 522937	PUP	12/21/07	✓
31461MP1483	1d 697853	PUP	12/21/07	✓

VMM

9/27/07

29930/40700A	11/778504	PTDA	12/7/07 ✓
31048/62003	77/24294	PTDA	3/26/08 ✓
31088/60003	77/131626	PTDA	3/27/08 ✓
<u>9/28/07</u>			
27611(378)4	14301449	PUP2	12/7/07 ✓
29930/41725	11/297917	PTDA	12/7/07 ✓
30071/62030	77/171609	PTDA	3/27/08 ✓
<u>10/1/07</u>			
20609/60835	78/942497	PTDA	4/1/08 ✓
30051/42762	11/891338	PTDA	11/24/07 ✓
29601/12070	11/854254	PTDA	11/24/07 ✓
30071/42754	11/667810	PTDA	11/24/07 ✓
19036/388008	11/264175	PTDA	12/7/07 ✓
30521/31504	11/524929	PTDA	11/24/07 ✓
3293064 PMS 9/18/07 ✓			
28779/102015	11/657837	PUA1	12/7/07 ✓
28335/41765	11/319954	PUA1	12/7/07 ✓
<u>10/2/07</u>			
28944/43243	29/284825	PTDA	11/26/07 ✓
28944/43247	29/284822	PTDA	11/26/07 ✓
28944/43248	29/284824	PTDA	11/26/07 ✓
28944/43244	29/284821	PTDA	11/26/07 ✓
28944/43246	29/284820	PTDA	11/26/07 ✓
28944/43245	29/284819	PTDA	11/26/07 ✓
30793/42657	11/709628	PTDA	11/26/07 ✓
30766	11/857313	PTDA	11/27/07 ✓
19036/42801	11/719920	PTDA	11/27/07 ✓
30904/35918A	10/987549	CABO	10/25/07 ✓
19036/42331	14/592556	PTDA	10/25/07 ✓
29337/19554	29/284796	PTDA	11/26/07 ✓
28944/43249	29/284816	PTDA	11/27/07 ✓
3298326 S1815 9/25/07 ✓			
3297799 PMS 9/25/07 ✓			
3298358 S1815 9/25/07 ✓			
10005/60752	78/896115	PMS	3/29/08 ✓

PJM

10/21/07

28594/30002A	11/834580	ACM	11/25/07	✓
30889/60003	77/049101	MSE	3/25/08	✓
31088/63006	77/081844	MSE	3/25/08	✓
30948/60002	78/078332	MSE	3/25/08	✓
28472/60504	78/709752	MSE	3/25/08	✓
29468/12071	29/284670	ACM	11/25/07	✓
29468/18009	29/284669	ACM	11/25/07	✓
30521/31503	11/854944	ACM	11/25/07	✓
29401/1350883	11/8535269	ACM	11/25/07	✓
29401/60001	29/775606	SSP	12/26/07	✓
29401/60002	29/275607	SSP	12/26/07	✓
31055/41764	11/318903	CABO	10/25/07	✓
29401/60005	29/275610	SSP	12/26/07	✓
29926/41387	11/158615	PUP2	12/25/07	✓
29401/60004	10/526804	CABO	10/25/07	✓
29401/600057	29/275602	SSP	12/26/07	✓
30071/39080	10/344196	Replay/Normal	11/24/07	✓
30875/40117	10/939084	PUP2	12/24/07	✓
29926/41300	11/146169	KAA1	12/24/07	✓
29925/41641	11/269095	POA1	12/24/07	✓
29425/2859	11/120217	PUP2	12/25/07	✓
29827/41104	10/530373	PAA1	12/24/07	✓
29925/41727	11/275419	SSP	12/24/07	✓
29934/42093	11/491584	PAA1	12/24/07	✓
30320/14897	10/377211	POA1	12/24/07	✓
30320/19147	10/883423	PAA1	12/26/07	✓
29475/39204	10/720862	KAA1	12/26/07	✓
30675/41510	10/549085	PUM1	12/26/07	✓
29925/41629	11/272542	PUP2	12/26/07	✓
28472/41220	11/039147	WAO	10/26/07	✓
27630/1396668	10/945354	CABO	10/26/07	✓
27330/146649	11/121659	PAA1	12/26/07	✓
27332/42540	29/271009	PAA1	12/26/07	✓
30846/41125	11/114493	AA1	12/26/07	✓
30071/39790	10/737293	PUP2	12/26/07	✓

AMM

10/21/07

3020541583 11/265734 PMAI 12/26/07 ✓
29854377041 10/649974 MAI 12/26/07 ✓
1903641589 1d 554901 PMAI 12/24/07 ✓
0600940577 11/156215 MAI 12/14/07 ✓
2786634804 11/102284 0A30 1d 24/07 -ulx1
3052438737 14/238077 0A30 1d 29/07 ✓
29827140821 14/523080 PMAI 12/25/07 ✓
2769440260 11/150053 0A30 1d 29/07 ✓
294211600058 29/275603 5557us 12/26/07 ✓
290211600059 29/275604 5557us 12/26/07 ✓
10/84480 0A30 1d 25/07 -TRN
10/377315 5557us 12/21/07 ✓
10/3/07

290211600044 11/275996 5557us 12/25/07 ✓
3052130724 11/782690 NonCompl. 10/27/07 ✓
3020341014A 11/492460 NonCompl. 10/28/07 ✓
3069441508 10/553331 NonCompl. 10/28/07 ✓
2892541558 11/275459 PTF2 12/25/07 ✓
0071373774 11/047064 PMAI 12/25/07 ✓
0600540819 11/082265 PTF2 12/25/07 ✓
2851438247 10/049953 Quay 11/25/07 ✓
2993641185 14/907876 5557us 12/27/07 ✓
31001160001 77/055470 PMA 4/3/08 ✓
77/218846 PMA 4/3/08 ✓
10/4/07

31193402641 11/708996 PMAI 12/27/07 ✓
29458857493 1d 022583 PMAI 12/28/07 ✓
3020341401 11/240827 PMAI 12/28/07 ✓
3083519325A 11/375726 0A30 10/28/07 ✓
3085040350 09/485572 5557 12/28/07 -RN
2993410024 11/026847 PMAI 12/28/07 ✓
3085039705A 11/079877 5557u 12/27/07 ✓
2902141003 11/079809 PMAI 12/27/07 ✓
30660166019 77/221482 PMA 4/4/08 ✓
310711600077 11/055407 PMAFinal 4/4/08 ✓
358351206114 11/8876269 MAI 12/21/07 ✓

RJM

10/5/07

3085014035013 11387026 PUA1 12/27/07 -TAN
 28850141056 11296105 PUF2 12/27/07 ✓
 287941382291 1d427262 PUA1 12/27/07 -TAN
 30831140328 1d910055 PUF2 12/26/07 ✓
 28081404104 1d508725 PUF2 12/21/07 ✓
 29936140365 11159898 PUF2 11/10/08 ✓
 30751129966 1d92323 PUA1 12/27/07 -TAN
 297511407 1d118414 PUA1 12/27/07 -TAN
 30952141949 11252269 PUA1 12/27/07 ✓
 3005013918A 1d910148 PUA1 12/27/07 ✓
 2975711734A 1c943181 PUA1 12/27/07 -TAN
 30835140527 11020446 PUF2 12/27/07 ✓
 29021160063 29/275608 PUF2 12/27/07 ✓

10/8/07

2807142286 11667219 tecm1 12/11/07 ✓
 274050143219 111900543 tecm1 12/11/07 ✓
 060051501733B 111858430 tecm1 12/11/07 ✓
 30706 111857374 tecm1 12/11/07 ✓
 30051402015 111901617 tecm1 12/11/07 ✓
 06007140755 111791413 tecm1 12/11/07 ✓
 31184142212 111089800 PUA1 12/28/07 ✓
 28939141738 111305063 PUA1 12/27/07 ✓
 28936140371 111593914 PUA1 12/28/07 ✓
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01017	30013	UNITED STATES	WALKER ET AL.	10/407078	9 24 7	POF1	9 24 7	AMDT/RESP; PET W/DRAW - E-FILED	1
01017	30013	UNITED STATES	WALKER ET AL.	10/407078	9 24 7	ATTN	10 15 7	OFF PER DAG DOCKET	
06005	40264	INDONESIA	GOSSETT, J.	200702070	9 24 7	ATTN	11 8 7	INSTR AG RE: POA/DECL/ASSN	
06005	561684	PATENT COOPERATION TREATY	CATRON, F.	US07/09323	9 24 7	RESP	9 21 7	WITHDRWN - CONFRM'D PER WIPO/KKM	
06005	561754	PATENT COOPERATION TREATY	UHLENBERG ET AL.	US07/60990	9 24 7	*PCT	9 28 7	OFF PER DCR DOCKET	
06005	591614	JAPAN	CHEN ET AL.	2007-254089	9 24 7	RESP	5 22 8	OFF PER RAH DOCKET	
06005	591811	JAPAN	NIXON ET AL.	2007-253869	9 24 7	RESP	9 21 7	DONE PER RAH LTR TO AGENT	
20022	40024	UNITED STATES	DRAGHETTI ET AL	10/489722	9 24 7	STAT	5 8 7	ONLINE INQUIRY	
27373	41491A	PATENT COOPERATION TREATY	SMITH ET AL.	US07/61002	9 24 7	*PCT	9 28 7	OFF PER JPZ DOCKET	
27978	37504A	BRAZIL	SAITO ET AL.	10212773-3	9 24 7	TX06	5 20 7	PAID PER CPA	
27978	37504A	CANADA	SAITO ET AL.	2460759	9 24 7	EXAM	5 5 4	OFF PER AGENT LETTER	
27978	37504A	CANADA	SAITO ET AL.	2460759	9 24 7	TX06	5 20 7	PAID PER CPA	
27978	37504A	EUROPEAN PATENT OFFICE	SAITO ET AL.	02761809.9	9 24 7	TX06	5 20 7	PAID PER CPA	
28216	41022A	PATENT COOPERATION TREATY	SPINDLER ET AL.	US06/06611	9 24 7	RESP	9 14 7	OFF PER JJN DOCKET	
28216	41022A	PATENT COOPERATION TREATY	SPINDLER ET AL.	US06/06611	9 24 7	RMD	9 14 7	OFF PER JJN DOCKET	
28341	6086PCPBR	BRAZIL	BROWN, S.	9808256-6	9 24 7	RESP	9 14 7	OFF PER MM DOCKET	
28341	6314.PEP	EUROPEAN PATENT OFFICE	HOLDEN, D.	98932371.2	9 24 7	ATTN	9 25 7	INSTR. AGENT RE: 10/06/07 RESP	
28506	39317	UNITED STATES	GUPTAIL, W.	60/613137	9 24 7	STOR	3 3 8	FILE SENT TO IM	

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28570	10291	NORWAY	DARLINGTON ET A	20034258	9 24 7	TX05	6 7 7	PAID PER CPA	
28911	36128	UNITED STATES	HOPPKINS, A.	09/485245	9 24 7	POF1	12 11 7	2 MONTH FINAL ACTION W/O FEE	
29501	40428	UNITED STATES	SANDERS, A.	60/613138	9 24 7	STOR	3 3 8	FILE SENT TO IM	
29516	38347	UNITED STATES	HAMER, T.	10/675431	9 24 7	EXT1	9 17 7	PET;RCE E-FILED	
29794	41011B	PATENT COOPERATION TREATY	DVORAK ET AL.	US06/06972	9 24 7	31ST	6 12 7	31ST MONTH-ENTER NAT'L STAGE	
29853	40438	EUROPEAN PATENT OFFICE	PHAM ET AL.	05781055·8	9 24 7	RESP	10 1 7	OFF PER MPB DOCKET	
29925	42795	UNITED STATES	YANG, H.	11/770872	9 24 7	*COM	8 17 7	RESP/DWGS - E-FILED	
30530	40073	UNITED STATES	DAYAN, N.	60/613034	9 24 7	STOR	3 3 8	FILE SENT TO IM	
30530	40777B	EUROPEAN PATENT OFFICE	DAYAN ET AL.	05854825·6	9 24 7	RESP	9 14 7	OFF PER JUN DOCKET	
30835	193515	RUSSIA	GUPTA ET AL.	2003112059	9 24 7	RESP	12 14 7	OFF PER WJK DOCKET	
30835	320385	UNITED STATES	UPADHYAY ET AL.	11/770818	9 24 7	*COM	9 10 7	FIRST PRELIM.AMDT - E-FILED	
30835	320385	UNITED STATES	UPADHYAY ET AL.	11/770818	9 24 7	RESP	10 19 7	PET;SUBSTITUTE SPEC. E-FILED	
30850	41848	ARGENTINA	HAMMOND ET AL.	070103361	9 24 7	RESP	9 13 7	MISSING DOCS DUE (PER EMAIL)	
30882	MEY5103	UNITED STATES	MEYER ET AL.	10/748084	9 24 7	POF1	9 24 7	RESPONSE - E-FILED	
30965	GD0042A	CHINA	NIEVES, K.	200710146497·8	9 24 7	ASSN	9 28 7	OFF PER JPZ DOCKET	
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31126	41460	UNITED STATES	LEDBETTER ET AL	11/659904	9 24 7	*COM	9 24 7	RSP/E.DECL,STM,SEQ.LIST-EFILED	

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31336	40958	UNITED STATES	ZONG ET AL.	60/860903	9 24	7	PRO1	9 28 7 OFF PER JPZ DOCKET
31353	32000A	PATENT COOPERATION TREATY	ZWIRKOSKI, P.	US06/06638	9 24	7	31ST	10 1 7 OFF PER JRK DOCKET
31376	7004	CANADA	WATKINS, S.	2459508	9 24	7	EXAM	9 24 7 DONE PER AGENT LTR

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06005 36801	GREAT BRITAIN	HAVEKOST ET AL.	001122847.7	9 24	7	TX07	4	25	7 PAID PER CPA
06005 38043	CHINA	WOJSZNIS ET AL.	031158498.5	9 24	7	RESP	9	14	7 RESP, DONE PER RAH LTR. TO AGNT
06005 39276	EUROPEAN PATENT OFFICE	METSCHKE, C.	04714593.3	9 24	7	RESP	9	11	7 RESPONSE DUE-FILED PER AG LTR
06005 39297	EUROPEAN PATENT OFFICE	LAW, S.	048114287.1	9 24	7	RESP	5	22	8 OFF PER RAH DOCKET
13024 36097	ISRAEL	MCMICHAEL ET AL	148071	9 24	7	RESP	10	1	7 OFF PER JSS DOCKET
27978 37504A	AUSTRALIA	SAITO ET AL.	2002327046	9 24	7	TX06	5	20	7 PAID PER CPA
27978 37504A	AUSTRALIA	SAITO ET AL.	2002327046	9 24	7	EXAM	9	26	5 DIRECTION TO REQ. EXAM
27978 37504A	CHINA	SAITO ET AL.	02823272.0	9 24	7	TX06	8	7	PAID PER CPA
28076 SV1250	CHINA DESIGN	CREVLING ET AL.	30002433.7	9 24	7	RESP	1	15	8 OFF PER RMG DOCKET
28216 10289B	JAPAN	SENGUPTA ET AL.	2002-562317	9 24	7	RESP	9	25	7 APPEAL DEADLINE-FILED PER AG
28569 10195	NORWAY	HUGHES, J.	904152	9 24	7	TX18	6	7	PAID PER CPA
28944 41913	UNITED STATES DESIGN	LEPOITEVIN, L.	29/259077	9 24	7	RESP	9	24	7 AMDT;REPL,DWGS W/CM
29342 35722A	MEXICO	ORME ET AL.	30000887	9 24	7	RESP	9	14	7 OFF PER JJN DOCKET
29475 37633	MEXICO	SEITZ ET AL.	2005000473	9 24	7	RESP	9	14	7 OFF PER JJN DOCKET
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29617 PM153	JAPAN	LOFTIN, R.	500681/94	9 24	7	TX04	11	24	4 CLIENT PAYS OWN TAXES
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05/14/09 09:19:01

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Master Issued Patent Docket - Sept. 24, 2007

PAGE 2

05/14/09 09:21:01

Master Trademark Application Docket - Sept. 24, 2007

PAGE 1

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30660 60045	UNITED STATES	PARROT PARTY	77/173461	9 24 7	RESP	9 14 7	OFF PER JA DOCKET

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05/14/09 09:26:01

Master Trademark Registration Docket - Sept. 24, 2007

PAG

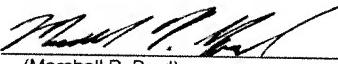
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* * * END OF REPORT * * *

Exhibit H

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: March 24, 2009

Signature: 
(Marshall P. Byrd)

Docket No.: 30986/40924
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Martin A. Crockard et al.

Application No.: 10/570,588

Filed: March 3, 2006

For: Diagnosis of Risk of Breast Cancer

Confirmation No.: 7390

Art Unit: 1645

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

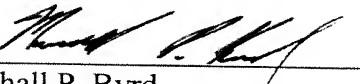
Dear Madame:

In response to the Notification of Defective Response allegedly mailed on August 24, 2007, Applicants respectfully submit a computer-readable form of the Sequence Listing (.txt) and a Sequence Listing Paper Copy (.pdf).

I hereby state that the content of the paper (.pdf) and computer readable (.txt) copies of the Sequence Listing, submitted herewith are in accordance with 37 C.F.R. §§1.821 and 1.825, are the same and include no new matter.

Dated: March 24, 2009

Respectfully submitted,

By 
Marshall P. Byrd
Registration No.: 62,454
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Agents for Applicant

SEQUENCE LISTING

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